

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CR2012-135483-001 DT

08/10/2012

COMMISSIONER KATHLEEN MEAD

CLERK OF THE COURT
M. Cabral
Deputy

STATE OF ARIZONA

BRADLEY FRANCIS PERRY

v.

YOSHY HERNANDEZ (001)
DOB: 03/08/1986

PEGGY LEMOINE

APO-SENTENCINGS-CCC
APPEALS-CCC
DISPOSITION CLERK-CSC
RFR
US IMMIGRATION AND CUSTOMS
ENFORCEMENT

SUSPENSION OF SENTENCE - UNSUPERVISED PROBATION

11:12 a.m. This is the time set for Acceptance of Plea and Sentencing.

Courtroom 3B - South Court Tower

State's Attorney:	Jeffrey Pitts for Bradley Perry
Defendant's Attorney:	Peggy Lemoine
Defendant:	Present

A record of the proceedings is made by audio and/or videotape in lieu of a court reporter.

The plea is accepted.

Count(s) 1: WAIVER OF TRIAL: The Defendant knowingly, intelligently and voluntarily waived all pertinent constitutional and appellate rights and entered a plea of guilty.

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IT IS THE JUDGMENT of the Court Defendant is guilty of the following:

OFFENSE: Count 1 (Amended): Solicitation to Commit Taking Identity of Another
Class 6 Undesignated Felony
A.R.S. § 13-2008, 13-2001, 13-1002, 13-604, 13-707, 13-802, 13-701, 13-702, and 13-

801

Date of Offense: 07/04/2012
Non Dangerous - Non Repetitive

IT IS ORDERED suspending imposition of sentence and placing defendant on
Unsupervised Probation to be monitored by the Adult Probation Department (APD) in
accordance with APD's Compliance Monitoring Standards:

Count 1 Probation Term: 1 year

To begin 08/10/2012.

Conditions of probation include the following:

Condition 2 - Not possess or control any stun guns, tasers, firearms, ammunition, deadly,
or prohibited weapons as defined by A.R.S. § 13-3101.

Condition 5 - If deported or processed through voluntary departure, will not return to the
United States illegally during the term of probation. If deported, all conditions, except Condition
5, are suspended.

Condition 6 - Report to the APD within 72 hours of sentencing, absolute discharge from
prison, release from incarceration, or residential treatment and continue to report as directed.
Keep APD advised of any conditions completed. Comply with any written directive of the APD
to enforce compliance with the conditions of probation.

Condition 7 - Notify APD within 10 days of any change of address and/or telephone
number.

Condition 8 - Request and obtain permission of the APD prior to leaving the state.

Condition 15: Restitution, Fines and Fees:

PROBATION SERVICE FEE: Count 1 - \$65.00 per month, beginning on a date to be
determined by the Adult Probation Department.

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PROBATION SURCHARGE: Count 1 - \$20.00 payable on a date to be determined by the Adult Probation Department.

All amounts payable through the Clerk of the Superior Court.

The Court retains jurisdiction for any future restitution hearings. Defendant waives his presence at any future restitution hearing(s).

Defendant is advised pursuant to A.R.S. § 13-805 that failure to maintain contact with the Probation Department may result in the issuance of:

1. A criminal restitution order in favor of the state for the unpaid balance, if any, of any fines, costs, incarceration costs, fees, surcharges or assessments imposed.

2. A criminal restitution order in favor of each person entitled to restitution for the unpaid balance of any restitution ordered.

IT IS ORDERED granting the Motion to Dismiss the following: Count 2.

IT IS FURTHER ORDERED Defendant be released from custody for this case only.

IT IS FURTHER ORDERED that Defendant must submit to DNA testing for law enforcement identification purposes and pay the applicable fee for the cost of that testing in accordance with A.R.S. § 13-610.

The Court has been informed that defendant was born in Mexico. In addition, the Court has been presented with sufficient evidence that defendant has been identified by federal authorities or a 287(g) officer as a person who is unlawfully present in the United States. Pursuant to A.R.S. § 11-1051(C) and Supreme Court Administrative Order 2010-91, the clerk shall send a copy of this order to the United States Immigrations and Customs Enforcement.

The presentence investigation report is filed under this cause number.

11:16 a.m. Matter concludes.

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Defendant's right index fingerprint is permanently affixed to this sentencing order in open court.

/s/ COMMISSIONER KATHLEEN MEAD
JUDICIAL OFFICER OF THE SUPERIOR COURT

(right index fingerprint)